

**UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE: EDWARD FRANKLIN DABNEY
 ANGELEA MICHELLE JONES

Debtor(s)

CHAPTER 13

CHARLES J. DEHART, III
CHAPTER 13 TRUSTEE

Movant

CASE NO: 1-20-00555-HWV

vs.

EDWARD FRANKLIN DABNEY
ANGELEA MICHELLE JONES

Respondent(s)

TRUSTEE'S MOTION TO DISMISS CASE

AND NOW, on January 6, 2021, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, by and through his attorney James K. Jones, Esquire, and respectfully represents the following:

1. An Amended Plan was filed on September 8, 2020.
2. A hearing was held and an Order was entered on October 28, 2020 directing that an amended plan be filed within thirty (30)) days.
3. As of the date of this Motion, an amended plan has not been filed.
4. The delay in filing a confirmable plan in this case is prejudicial to creditors.

WHEREFORE, your Trustee respectfully requests your Honorable Court dismiss the case upon the basis that Debtors have failed to propose a confirmable plan.

Respectfully submitted,

s/ James K. Jones, Esq.

Id: 39031

Attorney for Trustee

Charles J. DeHart, III

Standing Chapter 13 Trustee

Ste. A, 8125 Adams Drive

Hummelstown, PA 17036

Ph. 717-566-6097

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NOTICE

NOTICE IS HEREBY GIVEN that Charles J. DeHart, III, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss for failure to file a confirmable Chapter 13 Plan.

YOU ARE HEREBY NOTICED that a hearing has been scheduled on this matter for:

This hearing will be held telephonically
using Courtcall.

Date: January 27, 2021

Time: 09:35 AM

Any objection or response filed must be filed with the Clerk, U.S. Bankruptcy Court and served on the Chapter 13 Trustee.

Charles J. DeHart, III, Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: dehartstaff@pamd13trustee.com

Dated: January 6, 2021

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CERTIFICATE OF SERVICE

I certify that I am more than 18 years of age and that on January 6, 2021, I served a copy of this Motion to Dismiss, Notice and Proposed Order on the following parties by 1st Class mail, unless served electronically.

DAWN MARIE CUTAIA, ESQUIRE
115 EAST PHILADELPHIA STREET
YORK, PA 17401-

Served electronically

United States Trustee
228 Walnut Street
Suite 1190
Harrisburg, PA 17101

Served electronically

EDWARD FRANKLIN DABNEY
1590 PLEADER LANE
YORK, PA 17402

Served by 1st Class Mail

I certify under penalty of perjury that the foregoing is true and correct.

Date: January 6, 2021

Respectfully,
Vickie Williams
for Charles J. DeHart, III, Trustee
Suite A, 8125 Adams Dr.
Hummelstown, PA 17036
Phone: (717) 566-6097
eMail: dehartstaff@pamd13trustee.com

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ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss, it is hereby Ordered that the above-captioned bankruptcy be and hereby is dismissed.